

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FILED

2016 JUN 15 AM 9:27

CLERK OF COURT
WESTERN DISTRICT OF TEXAS

BY: 
CLERK

DEBRA F. OWENS,

Plaintiff,

-vs-

Case No. A-16-CA-398-SS

TEXAS OFFICE OF THE ATTORNEY
GENERAL,

Defendant.

ORDER

BE IT REMEMBERED on this day the Court reviewed the file in the above-styled cause, and specifically “Defendant’s Motion to Dismiss Plaintiff’s Amended Complaint Pursuant to Federal Rules of Civil Procedure 12(b)(6)” [#12 filed June 2, 2016] and the response to the same filed June 6, 2016 as well as the “Complaint (Amended)” filed May 19, 2016 and, thereafter, enters the following:

On May 3, 2016 the Court dismissed the plaintiff’s complaint as it is deficient pursuant to the Federal Rules of Civil Procedure 8 and the Supreme Court authority of Bell Atlantic Corp. v. Twombly, 550 U.S. 544 (2007) and Ashcroft v. Iqbal, 556 U.S. 662 (2009). The Court permitted Ms. Owens to file an amended complaint and specified she must make “specific factual allegations whereby jurisdiction of the Court can be ascertained as well as factual allegations that if proved true would lead to liability and further factual allegations regarding reported damages sustained by plaintiff.” The pleading was not to be one of mere opinion and conjecture but on pleaded factual

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allegations which, if true, would establish a case of liability and judgment on behalf of Debra F. Owens.

The response does not comply with the Court's order. It is simply an attachment of multiple letters, articles, and apparently a copy of the Title VII complaint and the report of the investigation of the Equal Employment Opportunity Commission. Therefore, there is no legally recognizable complaint on file.

The Defendant's Motion to Dismiss is GRANTED, and this cause is DISMISSED again without prejudice and all costs taxed to Debra F. Owens.

SIGNED this the 14th day of June 2016.


UNITED STATES DISTRICT JUDGE